



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

164263

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-9875

Refer to: L1630200005 -- St. Clair County
Sauget Sites (Area 1) -- Sauget
Superfund/Compliance

November 14, 1996

Mr. D. Michael Light
Manager, Remedial Projects
Monsanto Chemical Company
800 North Lindbergh Boulevard
St. Louis, Missouri 63167

Dear Mr. Light:

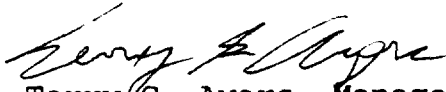
I wanted to take this opportunity to thank you, Bruce Yare and Ron Frehner for coming up to Springfield on short notice to discuss Monsanto's proposal to perform work at the Sauget Area 1 Sites. The original intent of this meeting was to discuss the technical aspects of an Area 1 investigation, but I felt that it was necessary to clarify IEPA's position on the performance of PRP-lead actions within State programs in lieu of the Superfund program.

It is IEPA's policy that in order for Monsanto to enter the Site Remediation Program, a deferral of the NPL listing will be needed. Given that the Area 1 sites can be placed on the final NPL list in as early as six months, it will be imperative that we work as quickly as possible to negotiate the terms under which deferral can take place. USEPA deferral guidance states that an enforceable consent decree governing all response actions must be in place prior to deferral. In light of orphan share concerns and historic difficulties with organizing an effective PRP group in Area 1, IEPA will also insist that Monsanto commit to perform an Area 1 remedy(s) that IEPA will approve. Also, it is IEPA's stated position that Monsanto must agree to fund 100% of the selected remedy(s) in order to prevent liability disputes that will indefinitely delay remedy implementation and cost the State an untold amount. At that stage, IEPA would have few options to compel Monsanto or any PRP to perform a cleanup after having deferred the listing.

IEPA is willing to prepare a draft consent decree that will address the above concerns. We are also willing to incorporate

RCRA corrective action provisions at the Krummrich Plant into the consent decree with separate scopes of work. We are hopeful that your management will be receptive of our proposal for Monsanto to enter into a consent decree that embodies the same cleanup commitments that you and Keith Miller stated at our last two meetings.

Yours Truly,

A handwritten signature in dark ink, appearing to read "Terry G. Ayers", is written over the typed name.

Terry G. Ayers, Manager
National Priorities Unit
Division of Remediation Management
Bureau of Land

cc: Lawrence Eastep
William Child
Paul Takacs
Robert Watson
Todd Rettig
Tom Martin, USEPA
Bill Bolen, USEPA
Division File